

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
JOSEPH PESSIN, on behalf of himself	:	
and all others similarly situated,	:	
	:	22cv2436 (DLC)
Plaintiff,	:	
-v-	:	<u>ORDER</u>
	:	
JPMORGAN CHASE U.S. BENEFITS	:	
EXECUTIVE, et al.,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

Plaintiff Joseph Pessin ("Pessin") filed a class-action complaint against JPMorgan Chase U.S. Benefits Executive ("JPMC Benefits Executive") and the Board of Directors of JPMorgan Chase & Company ("JPMC Board") on March 25, 2022. The complaint alleged that the JPMC Benefits Executive violated Sections 404(a), 102, and 105 of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §§ 1104(a), 1022, 1025 ("ERISA"). It also alleged that the JPMC Board violated Section 404(a) of ERISA.

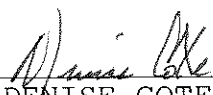
On December 9, 2022, the defendants' motion to dismiss was granted. On August 13, 2024, the Second Circuit Court of Appeals affirmed the Court's dismissal in part and reversed in part. The mandate was issued on September 3, 2024.

The Court of Appeals affirmed dismissal of Pessin's Sections 404(a) and 102 claims against the JPMC Benefits

Executive. The Court of Appeals reversed the dismissal of Pessin's Section 105 claim against the JPMC Benefits Executive and Pessin's Section 404(a) claim against the JPMC Board. Accordingly, it is hereby

ORDERED that the parties shall confer and file a status letter by **September 13, 2024** with their recommendations for further proceedings.

Dated: New York, New York
September 4, 2024



DENISE COTE
United States District Judge